



## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPPT-2017-0318; FRL-9098-01-OCSPP]

### **Agency Information Collection Activities; Proposed Renewal of an Existing Collection and Request for Comment; Request for Contractor Access to Toxic Substances Control Act (TSCA) Confidential Business Information (CBI)**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (PRA), this document announces the availability of and solicits public comment on the following Information Collection Request (ICR) that EPA is planning to submit to the Office of Management and Budget (OMB): “Request for Contractor Access to TSCA Confidential Business Information (CBI),” identified by EPA ICR No. 1250.12 and OMB Control No. 2070-0075. This ICR represents the renewal of an existing ICR that is currently approved through October 31, 2022. Before submitting the ICR to OMB for review and approval under the PRA, EPA is soliciting comments on specific aspects of the proposed information collection that is summarized in this document. The ICR and accompanying material are available in the docket for public review and comment.

**DATES:** Comments must be received on or before **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPPT-2017-0318, through the Federal eRulemaking Portal at <http://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at

<http://www.epa.gov/dockets>.

Due to the public health concerns related to COVID-19, the EPA Docket Center (EPA/DC) and Reading Room is open to visitors by appointment only. For the latest status information on EPA/DC services and docket access, visit <https://www.epa.gov/dockets>.

**FOR FURTHER INFORMATION CONTACT:** Katherine Sleasman, Office of Program Support, Mission Support Division (7101M), Office of Chemical Safety and Pollution Prevention, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (202) 566-1204; email address: [sleasman.katherine@epa.gov](mailto:sleasman.katherine@epa.gov).

*For general information contact:* The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554-1404; email address: [TSCA-Hotline@epa.gov](mailto:TSCA-Hotline@epa.gov).

## **SUPPLEMENTARY INFORMATION:**

### **I. What Information is EPA Particularly Interested in?**

Pursuant to PRA section 3506(c)(2)(A) (44 U.S.C. 3506(c)(2)(A)), EPA specifically solicits comments and information to enable it to:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility.

2. Evaluate the accuracy of the Agency's estimates of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.

3. Enhance the quality, utility, and clarity of the information to be collected.

4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. In particular, EPA is requesting comments from very small businesses (those that employ less than 25) on examples of specific additional efforts that EPA

could make to reduce the paperwork burden for very small businesses affected by this collection.

## **II. What Information Collection Activity or ICR Does this Action Apply to?**

*Title:* Request for Contractor Access to TSCA Confidential Business Information (CBI)

*EPA ICR No.:* 1250.12.

*OMB Control No.:* 2070-0075.

*ICR status:* This ICR is currently approved through October 31, 2022. Under the PRA, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations in title 40 of the Code of Federal Regulations (CFR), after appearing in the ***Federal Register*** when approved, are displayed either by publication in the ***Federal Register*** or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers for certain EPA regulations is consolidated in 40 CFR part 9.

*Abstract:* EPA procures contract support to facilitate the performance of certain duties that may require contractors to handle TSCA CBI. Each contractor employee who will use TSCA CBI in the performance of his or her duties must be authorized for access to TSCA CBI through a multi-step process. The TSCA CBI Protection Manual provides Federal and contractor employees with guidelines and operating procedures for handling TSCA CBI while performing their official duties, as well as the procedures to obtain authorization for access to TSCA CBI.

Specifically, for purposes of this information collection, contractor personnel must submit to EPA the form entitled “TSCA CBI Access Request, Agreement, and Approval” (EPA Form 7740-6). EPA uses Form 7740-6 to collect information about contractor personnel so that EPA can evaluate their suitability for access to TSCA CBI. EPA stores the information on the OPPT Chemical Information System.

*Burden statement:* The annual public reporting and recordkeeping burden for this collection of information is estimated to average 1.6 hours per response. Burden is defined in 5

CFR 1320.3(b).

The ICR, which is available in the docket along with other related materials, provides a detailed explanation of the collection activities and the burden estimate that is only briefly summarized here:

*Respondents/affected entities:* The following North American Industrial Classification System (NAICS) codes have been provided to assist in determining whether this action might apply to certain entities: NAICS codes 514 (Information Services) and 561 (Administrative and Support Services).

*Respondent's obligation to respond:* Mandatory; 15 U.S.C. 2614.

*Frequency of response:* On occasion.

*Total estimated number of potential respondents:* 23.

*Total estimated average number of responses for each respondent:* 214.

*Total estimated annual burden hours:* 340.8 hours.

*Total estimated annual costs:* \$19,740. This includes an estimated burden cost of \$19,740 and an estimated cost of \$0 for capital investment or maintenance and operational costs.

### **III. Are There Changes in the Estimates from the Last Approval?**

There is no increase in number of hours in the estimated total annual burden and costs compared with that identified in the ICR currently approved by OMB. This increase in estimates results from an increase in the hourly wages and a change in the methodology to calculate loaded wages (wages plus fringe benefits and overhead). This change is an adjustment.

In addition, OMB has requested that EPA move towards using the 18-question format for ICR Supporting Statements used by other federal agencies and departments and is based on the submission instructions established by OMB in 1995, replacing the alternate format developed by EPA and OMB prior to 1995. The Agency does not expect this change in format to result in substantive changes to the information collection activities or related estimated burden and costs.

### **IV. What is the Next Step in the Process for this ICR?**

EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval pursuant to 5 CFR 1320.12. EPA will issue another ***Federal Register*** document pursuant to 5 CFR 1320.5(a)(1)(iv) to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB. If you have any questions about this ICR or the approval process, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

(Authority: 44 U.S.C. 3501)

Dated: January 19, 2022.

**Michal Freedhoff,**

*Assistant Administrator,*

*Office of Chemical Safety and Pollution Prevention.*

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